

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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:
WALKER INTERNATIONAL HOLDINGS, LTD.,
:
Plaintiff,
- against - : Civil Action No. 05-156 SLR
:
THE REPUBLIC OF CONGO,
:
Defendant,
:
CMS NOMEKO CONGO INC.,
:
Garnishee.
:
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ORDER

Upon consideration of Plaintiff Walker International Holdings Limited's ("Walker") Emergency Motion for an Order to Show Cause for a Writ of Attachment *Fieri Facias*, Order of Sequestration and Preliminary Injunction against Garnishee CMS Nomeco Congo, Inc. (now CMS Nomeco Congo LLC, ("CMS")) (the "Motion"), and for good cause shown, IT IS HEREBY ORDERED:

- A. That the Motion is GRANTED;
- B. In accordance with 28 U.S.C. § 1610(c) and Delaware Superior Court Civil Rule 5(aa), as applied through Federal Rule of Civil Procedure Rule 69, the Court directs the Clerk of the Court to issue a writ of garnishment and the U.S. Marshal levy such writ on CMS in aid of Walker's execution of an underlying judgment against defendant/judgment debtor The Republic of Congo ("Congo");
- C. In accordance with Federal Rule of Civil Procedure Rule 69, and through it, 10 Del. Ti. C. § 366 and Delaware Chancery Court Rule 4(db), the Court orders the sequestration of

the property of defendant Congo and directs the U.S. Marshal's Service to seize, in aid of Walker's execution of an underlying judgment against Congo, all property of Congo in the possession of CMS, including its right to receive royalties from CMS under the Convention; and

D. CMS is preliminarily enjoined from transferring any interest in the Convention, including its obligation to pay oil royalties (in particular to any corporation, entity or person resident in Congo), except on consideration of providing satisfactory security for the payment of any judgment that might be entered in this case; and further attempting to abscond from the United States during the pendency of this action.

SO ORDERED:

U.S.D.J.